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SUBJECT: BOLIVIA: SENATE PRESIDENT ASKS SECRETARY FOR HELP

Classified By: EcoPol Chief Mike Hammer for reasons 1.4 (b)(d)

1. (C) The President of Bolivia's Senate sent the letter, translated in its entirety in paragraph three, to the Embassy October 17. Oscar Ortiz was elected as President of the Senate for a one-year term in January, 2008. Ortiz is a contact of officers in Embassy's EcoPol Section and Front Office. Ortiz is a member of the largest of three opposition parties in Congress, Podemos, and is a leading opposition leader, heading one of the last government institutions opposed to President Evo Morales and the ruling MAS party's "change agenda." Ortiz is from Santa Cruz Department (state), the center of regional opposition to the Morales Administration. Ortiz is a close associate of Podemos party head and ex-President Jorge "Tuto" Quiroga. Ortiz is largely credited with improving the opposition's international reputation by explaining the opposition's concerns to foreign leaders.

2. (C) Ortiz requests that the Secretary weigh in against a massive pro-government march on the Bolivian Congress. That request has been overtaken by events, as the Bolivian Congress, surrounded by tens of thousands of Morales supporters, agreed October 20-21 to hold a constitutional referendum in January based on text revisions to the draft constitution. However, Ortiz's points about the Morales Administration's attacks on institutional democracy remain valid and troubling concerns. The international community has largely endorsed the October 20-21 compromise and taken some credit for the successful negotiation. However, as Ortiz points out, the government's use of a 40,000- to 100,000-strong mob to pressure opposition congressmen, including igniting dynamite outside Congress's doors, is very much against democratic principles and does not reflect a "good faith" negotiation on the part of the government. Although pleased a peaceful agreement could be reached, we should not condone the threat of mob violence to achieve it and any celebration of the "grand compromise" should be caveated thusly.

3. (C) Text of Senator Ortiz's letter follows:

REPUBLIC OF BOLIVIA
HONORABLE NATIONAL SENATE
Presidency

La Paz, October 15, 2008

Her Excellency
Condoleezza Rice
Secretary of State of the United States of America
Washington, DC

Her Excellency,

I have the honor to write to you to inform you that in recent months the Legislative Branch of Bolivia has suffered several attacks against its independence and dignity. This situation can deteriorate even further since President Evo Morales Ayma and several Ministers of his cabinet, as well as other governmental leaders, have threatened to organize a new siege and attack against the Legislative branch if we do not approve a law calling for a referendum to illegitimately approve an alleged draft constitution, which was imposed by means of illegal acts of pressure in November and December, 2007 at the conclusion of the Constituent Assembly.

As you know, the very serious political and institutional situation in Bolivia have prompted the Permanent Council of the Organization of American States and the meeting of Heads of State of the Union of South American Nations (UNASUR, in Spanish) to create instruments to accompany the political dialogue and negotiation between the Government of Bolivia and the departments of Beni, Chuquisaca, Pando, Santa Cruz, and Tarija (under the CONALDE group) in order to find a peaceful and negotiated solution to several sensitive issues of special transcendence to the future of my country.

I want to inform you that several members of the Bolivian Executive Branch and a group of Congress Members from the Senate and the Lower Chamber are immersed in a decisive negotiation regarding essential aspects of the aforementioned draft constitution, which does not have consensus among the Bolivian people, since its approval did not follow the procedures established by the Bolivian Constitution and other laws.

Nevertheless, and while a full dialogue and conciliation process is taking place, the President of the Republic, Evo Morales Ayma and Vice President Alvaro Garcia Linera (who is the Chairman of the Congress) have not hesitated to declare they would instruct the social organizations or irregular pressure groups that belong to the Movement Toward Socialism (MAS), which are promoted by the government, to establish a siege around the Congress to compel it, by means of force, to approve norms that would enable a referendum on a new constitution; this threat materialized on Monday, October 13 in the town of Caracollo, where the President of the Republic himself led the start of the march by the social organizations toward the Bolivian Congress.

In this regard, it is useful to indicate that in the Americas, the exercise of a representative democracy "is indispensable for the stability, peace, and development of the region." This hemispheric-wide positive international law has been enshrined in the inter-American Democratic Charter, in effect since September 2001, which clearly and unmistakably stipulates that the separation of powers and the independence of the branches of government are essential elements of representative democracy in the continent, along with respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people and the pluralistic system of political parties and organizations.

Therefore, as President of the Senate and within the framework of the inter-American Democratic Charter, I want to call upon your honorable Government's good offices and urgent action to request the President of Bolivia, Evo Morales Ayma, to order the immediate suspension of the social organizations' march on the National Congress, as well as the cessation of other continuing pressure actions against

members of Congress and some media in the country.

Mme. Secretary of State, as I have outlined, the alteration of the constitutional order by the government and its supporters is blatantly disturbing to the will of a majority of Bolivians, who want a new constitution drafted on the basis of agreement and on peaceful terms, a constitution that reflects the will of the entire Bolivian population.

I avail myself of this opportunity to convey to her Excellency, the U.S. Secretary of State, the expression of my highest and most distinguished consideration.

Oscar M. Ortiz
PRESIDENT
Honorable National Senate
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